

**TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE**



**FISCAL NOTE**

**HB 13 – SB 10**

April 2, 2009

**SUMMARY OF BILL:** Requires a citizenship status inquiry for any defendant prior to setting bail. If the defendant is not lawfully present in the United States when determining bail, the bill requires the presumption that the defendant is at risk of flight.

**ESTIMATED FISCAL IMPACT:**

**Increase Local Expenditures – Exceeds \$200,000\***

Assumptions:

- Local governments will incur a significant cost to process immigration inquiries on any defendant prior to setting bail. The recurring increase in local expenditures for SAVE access and verification are estimated to exceed \$100,000.
- Local governments will incur a significant increase in incarceration costs due to individuals that must remain in custody according to the provisions of this bill. Such recurring increase in local government expenditures is estimated to exceed \$100,000.

*\*Article II, Section 24 of the Tennessee Constitution provides that: no law of general application shall impose increased expenditure requirements on cities or counties unless the General Assembly shall provide that the state share in the cost.*

**CERTIFICATION:**

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, reading "James W. White".

James W. White, Executive Director

/cce